

DETAILED ACTION

Specification

1. This Office action is responsive to the amendment filed on June 22, 2009. Claims 1, 3, 4 and 6-10 are pending. Claims 1, 3, 4 and 6-10 have been amended, and Claims 2 and 5 have been canceled.
2. The amendments to the specification are accepted, and the objection to Claim 1 has been withdrawn.
3. The rejection of Claims 1-10 under 35 U.S.C. 112, second paragraph, made of record in the Office action mailed March 23, 2009, has been withdrawn in response to Applicant's amendments.
4. The rejection of Claims 1, 2 and 4-8 as being anticipated under 35 U.S.C. 102(b) over Smirnov et al. (SU 1601250), made of record in the Office action mailed March 23, 2009, has been withdrawn in response to Applicant's amendments.
5. The rejections of Claims 3, 9 and 10 as being unpatentable under 35 U.S.C. 103(a) over combinations of Smirnov, Jeon et al. (US 6,286,344) and Vona, Jr. et al. (US 4,018,067), made of record in the Office action mailed March 23, 2009, have been withdrawn in response to Applicant's amendments.
6. In response to Applicant's amendments, new grounds of rejection are made herein.

Claim Rejections - 35 USC § 102

7. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
8. **Claims 1, 3, 4 and 6-8 are rejected under 35 U.S.C. 102(b) as being anticipated by Fukui et al. (JP 2002-315985).**
9. Regarding Claims 1 and 8, Fukui discloses a drum washing machine (machine translation) comprising an elastic supporting unit (4) which elastically supports vibration system members including at least a water tub (3), a rotating tub which is provided in the water tub so as to be rotatable about a transverse axis and has an inner peripheral wall (6) and an electric motor which drives the rotating tub (10), and a baffle assembly (Figures 1 and 2), the rotating tub having two axial end plates (Figure 1 shows an end plate on the right side that covers the entire cylindrical area and an end plate on the left side that is annular shaped and includes the opening of the drum), wherein the baffle assembly includes an auxiliary baffle which is provided on an inner surface of the inner peripheral wall of the rotating tub so as to extend in an axial direction of the rotating tub and is located so as to be close to one of both axial end plates of the rotating tub and spaced away from the other end of the rotating tub (Figures 1 and 2; any of the baffles labeled 20); and the auxiliary baffle has an inclined portion descending (reads on being tapered) from one end plate side toward the other end plate side to the inner peripheral wall of the rotating tub (See Figure 1; the bottom of the drum shows the slanted profile of one of the baffles 20) and a triangular inclined surface downwardly inclined from the inclined portion toward the inner peripheral wall of the rotating tub ("triangular" is

broadly and reasonably interpreted to read on something shaped *like* a triangle, and not necessarily being a triangle; see Figure 1, the profile of bottom baffle 20 is shaped like a triangle; Figure 1 also shows a top view of a baffle 20 which shows the sides are inclined), the inclined surface working on laundry in the rotating tub so that the laundry is pushed thereby to be moved (this is a functional limitation which is considered to be met by Fukui because the inclined surfaces would function to move clothes).

10. Regarding Claim 3, Fukui discloses a rotational shaft (7) which is inclined and has one end higher than the other (Figure 1). The auxiliary baffle (20) is *close* to the higher end plate (Figure 1).

11. Regarding Claim 4, which depends on Claim 1, in one interpretation of Fukui, any of the three baffles (Figure 2, 20) could be construed as auxiliary baffles because they all meet the claimed structure of an auxiliary baffle. Each auxiliary baffle has a part *close* to one end plate and another part *close* to the other end plate (Figure 1).

12. Regarding Claims 6 and 7, which depends on Claim 1, in another interpretation of Fukui, one of the baffles could be construed as an auxiliary baffle, and any of the other two baffles (Figure 2, 20) could be construed as a main baffle because they are all baffles and not specific structure of a main baffle has been claimed such that they cannot read on the same baffles. They are shown to be provided on an axial center of the inner peripheral wall and they are at different peripheral positions from the auxiliary baffle with respect to the rotating tub, and they are spaced away from each other (Figure 2).

Claim Rejections - 35 USC § 103

13. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

14. **Claims 9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fukui et al. (JP 2002-315985) in view of Vona, Jr. et al. (USPN 4,018,067).**

15. Fukui is relied upon as applied to Claim 1. Fukui does not expressly disclose that the auxiliary baffle is disposed in a region of the inner peripheral wall and extends from one of the end plates to a center of gravity of the member of vibration system. Fukui does not expressly disclose that the auxiliary baffle extends in a radial direction at least 30mm above the rotating tub, or has an axial dimension not less than one eighth of an axial dimension of the rotating tub.

16. Vona, Jr. discloses that the size and shape of a baffle, "vane" (60), in a washing machine affects the washing action imparted to the laundry; therefore, the size of a baffle is shown by Vona, Jr. to be a results-effective variable, and it would have been obvious to one of ordinary skill in the art at the time of the invention to optimize the size (height and/or width) of the baffle to one which would be most effective in cleaning. MPEP 2144.05 (II) and *In re Antonie*, 559 F.2d 618, 195 USPQ 6 (CCPA 1977).

Examiner's Note

17. The following reference, which has not been used in a rejection, is considered to be relevant to Applicant's invention:

- a. Reiter et al. (US 2,611,976) discloses a clothes drier having triangle baffles (17-22) at the end walls of the drum.

Conclusion

18. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

19. A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

20. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **DAVID CORMIER** whose telephone number is (571) 270-7386. The examiner can normally be reached on Monday - Thursday 8:30 - 6:00.

21. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Barr can be reached on (571) 272-1414. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

22. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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